

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Allegation of Corruption against Sri K.Shanthi Kumar, Junior Assistant-cum-Record Keeper, Office of the Tahsildar, Wargal Mandal, Medak District – Sanction of Prosecution - Orders – Issued.

REVENUE(VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 1188

Dated:21-11-2009.

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O R D E R:

1. Whereas, Sri K.Shanthi Kumar worked as Junior Assistant, Office of the Tahsildar, Wargal Mandal, Medak District from 16-11-1988 and as incharge Record Keeper at Tahsildar Office, Dubbaka Mandal from 07-08-2004 to 05-03-2009 and as such, he falls under the category of Public Servant as defined under Section 2(C) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, Sri Burugupally Mallesha, S/o Ramulu, age:32 years, Occupation: Agriculture is a resident of Tuniki Maktha Village of Wargal Mandal, Medak District and is having Agriculture land admeasuring 1-19 acres in Sy.No.851/LLU in the outskirts of Tuniki Khalsa Village. Sri B.Mallesha required copies of Pahanies of the said land for the years from 1990-91 to 1995-96 and 2000-01 to 2004-05 for which he went to Tahsildar Office at Wargal on 06-02-2009 and submitted an application along with his Affidavit. The Tahsildar endorsed the petition to the Record Keeper and asked him to hand over to the Record Keeper. Accordingly, Sri B.Mallesha handed over the same to Sri K.Shanthi Kumar, Record Keeper, who asked him to come after five days. Subsequently, after five days Sri B.Mallesha approached Sri K.Shanthi Kumar, Record Keeper and enquired about the copies of pahanies, for which the Record Keeper informed that the pahanies were not ready and asked to come afterwards. Further he visited Tahsildar Office, Wargal several times, met Sri K.Shanthi Kumar, Record Keeper at his office and enquired about the copies of pahanies but in vain. On 02-03-2009 when Sri B.Mallesha approached Sri K.Shanthi Kumar and enquired about the copies of pahanies, Sri K.Shanthi Kumar, Record Keeper demanded Rs.1,000/- as bribe for issuing the copies of Pahanies for which he expressed his inability to pay such amount as bribe. Sri K.Shanthi Kumar reduced his demand to Rs.700/- and informed that if Sri B.Mallesha do not paid Rs.700/- as bribe, he will not issue the copies of pahanies and further asked to come along with bribe amount on 05-03-2009 for receiving the copies of pahanies. As there was no other go, Sri B.Mallesha agreed for the demand of Sri K.Shanthi Kumar, Record Keeper and returned. As Sri B.Mallesha was not willing to pay the bribe to Sri K.Shanthi Kumar, Record Keeper, Office of the Tahsildar, Wargal Mandal, lodged a complaint with the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizamabad Range on 02-03-2009. After due verification, the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizamabad Range registered the complaint as a case in Cr.No.9/ACB-NZB/2009 under section 7 of the Prevention of Corruption Act, 1988 on 05-03-2009 at 05:00 hours and investigated into;

Contd-P.2.

3. And whereas on 05-03-2009 i.e., on the date of trap, at about 11:20 hours when Sri B.Mallesha entered into the office room of Sri K.Shanthi Kumar, Record Keeper at Tahsildar Office, Wargal and found Sri Shanthi Kumar, Record Keeper sitting alone on a chair. On seeing Sri B.Mallesha the Record Keeper welcomed him and enquired whether he brought the demanded bribe amount and on his affirmative reply, the Record Keeper asked to hand over the bribe amount. Accordingly, Sri B.Mallesha took out the tainted currency notes of Rs.700/- and handed them over to Sri K.Shanthi Kumar who received with his right hand, counted with both hands and kept the same in the right side hip pocket of his wearing pant and when Sri B.Mallesha asked about the copies of pahanies, the Record Keeper took out some papers from his right side table Drawer and handed over it to him. Then, Sri B.Mallesha received the same and left the Record Room and gave the pre-arranged signal. The Phenolphthalein test conducted over both the hand fingers of Sri K.Shanthi Kumar, Record Keeper yielded positive result. The tainted currency of Rs.700/- was recovered at the instance and from the possession of Sri K.Shanthi Kumar from his right side hip pocket of his pant in the presence of mediators. The inner flap of right side hip pocket of the pant of Sri K.Shanthi Kumar which came into contact with the tainted currency, when subjected to Phenolphthalein test also yielded positive result;

4. And whereas the said acts of Sri K.Shanthi Kumar, Junior Assistant-cum-Record Keeper of Tahsildar Office, Wargal Mandal, Medak District constitute the offences punishable under sections 7 and 13(2) readwith section 13(1)(d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

5. And whereas, the Government of Andhra Pradesh, being the Competent Authority to remove Sri K.Shanthi Kumar from Government service, after fully and carefully examining the material placed before them and having regard to the facts and circumstances of the case consider that the said Sri K.Shanthi Kumar, Junior Assistant-cum-Record Keeper, Tahsildar Office, Wargal Mandal, Medak District should be prosecuted in a Court of Law for the aforesaid offences;

6. Now, therefore, in exercise of the powers conferred under clause(b) of sub-section (1) of Section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri K.Shanthi Kumar, Junior Assistant-cum-Record Keeper, Tahsildar Office, Wargal Mandal, Medak District for the above said offences punishable under sections 7 and 13(2) readwith Section 13(1)(d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any provisions of Law for the time being in force and for taking cognizance of the said offences by a Court of Competent Jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General
Anti-Corruption Bureau,
A.P., Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER